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August 22, 2018 11:29 AM

U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN**

Keturah Mixon,

Plaintiff in Pro Per,

Case No. 1:18-cv-499
Honorable Janet T. Neff

Vs.

David Trott, Trott Law P.C. (f/k/a Trott and Trott P.C.)
Carrington Mortgage Services LLC,
(a/k/a Carrington Mortgage Holdings LLC),
Bank of America Corporation,
(a/k/a Bank of America N.A.

Defendants.

Keturah Mixon
243 Devon Road
Battle Creek Mi. 49015
(269) 339-9337
Plaintiff in Pro Per

Thomas W. Cranmer (P25252)
Matthew P. Allen (P57914)
Miller, Canfield, Paddock and Stone, P.L.C.
Attorney for David Trott
Troy, Michigan 48098-6358
(248) 267-3381

Thomas G. Costello (P42973)
David G. Michael (P68508)
Attorneys for Defendant Carrington
Lipson Neilson P.C.
3910 Telegraph Road, Suite 200
Bloomfield Hills, Michigan 48302
(248) 593-5000

Richard Welke (P44403)
Jeffrey R. Raff (P55761)
Attorneys for Trott Law P.C.
31440 Northwestern Hwy., Ste. 200
Farmington Hills, MI 48334-5422
(248) 723-5765

Amy Sabbota Gotlieb (P67020)
Aimee R. Gibbs (P70522)
Dickinson Wright Plc
Attorneys for Bank of America, N.A.
2600 Big Beaver Road, Ste. 300
Troy MI. 48084-3312
(248) 443-7286

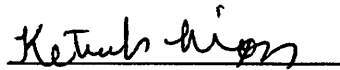
**PLAINTIFF KETURAH MIXON'S MOTION TO STRIKE DEFENDANT
TROTT LAW P.C.'S MOTION FOR SUMMARY JUDGMENT/DISMISSAL
PURSUANT TO THE FEDERAL RULES OF CIVIL PROCEDURE RULE
12(F) AND MEMORANDUM OF LAW IN SUPPORT**

Comes Now Plaintiff Keturah Mixon with her Motion to strike Defendants' motion for summary judgment/dismissal. Defendant Trott's motion is extremely confusing to Plaintiff and to this Court because they purported to bring their "dismissal" under The Federal Rules of Civil Procedure Rules 12(b)(6), Rule 12(c) and Rule 56. All of these Rules have different requirements that the Defendants have to meet and they all have different standards of review as well as different burdens of proof. The Defendants have not met ANY of the requirements nor have they offered ANY evidence that satisfies their burden of proof for ANY of The Federal Rules of Civil Procedure that they attempt to bring their motion under. EVERY statement in Defendant's motion is a COMPLETE LIE, and is UNSUPPORTED by even ONE SHRED of EVIDENCE. Plaintiff will nonetheless attempt to respond to their frivolous, confusing motion anyway. Defendants have already filed their answer to this complaint therefore their motion is untimely. In Defendants' answer to Plaintiff's complaint, they admitted to ALL of Plaintiff's allegations, as under The Federal Rules of Civil Procedure none of their answers were denials/deeded denials as proven in Plaintiff's Motion for Judgment on the Pleadings. Defendants' motion is redundant, immaterial, impertinent, and scandalous, and it has no legal basis. There is ABSOLUTELY NO DEFENSE that these defendants can claim in this lawsuit, and every purported defense is legally insufficient. Defendants' case fails from the very top. Plaintiff has NEVER owed MERS, or Bank of America N.A. any money and there has NEVER been a mortgage or a promissory note in Plaintiff's name that was ever assigned to MERS, Bank of America or any of these other defendants. That fact alone is FATAL to the defendants' case and/or any defense to this case.

Plaintiff has proven her case by a preponderance of the evidence and Plaintiff is entitled to Judgment as a Matter of Law. Accordingly, Plaintiff requests that This Honorable Court Strike/deny defendant's motion.

Dated: August 14th, 2018

Respectfully submitted,




Keturah Mixon
Plaintiff in Pro Per
243 Devon Road Battle Creek MI, 49015
(269)339-9337
keturahmixon@yahoo.com

CERTIFICATE OF SERVICE AND CONFERENCE

Plaintiff hereby certifies that she conferred with defendants to see if this motion would be opposed, mailed a true and complete copy of the foregoing document along with The memorandum of Law in Support of, certificate of conference along with the certificate of service, in The U.S. Mail on August 14th, 2018.

Dated: August 14th, 2018

Respectfully submitted,



Keturah Mixon
Plaintiff in Pro Per
243 Devon Road Battle Creek MI, 49015
(269)339-9337
keturahmixon@yahoo.com

Keturah Nixon
243 Devon Road
Battle Creek MI. 49015

United States District Court
Western District of Michigan
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Battle Creek MI 49015

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